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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

MIETTINEN et al.

Attorney Dkt. No.: 019075-00062

Application No.: 10/678,135

Art Unit: 1614

Filed: October 6, 2003

For: A SUBSTANCE FOR LOWERING HIGH CHOLESTEROL LEVEL IN SERUM AND METHODS FOR PREPARING AND USING THE SAME

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

July 22, 2004

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information items listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each item is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the items be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date, OR (b) before the mailing date of a first Office Action on the merits in the present application, OR (c) accompanies a Request for Continued Examination. No certification or fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☐ c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the

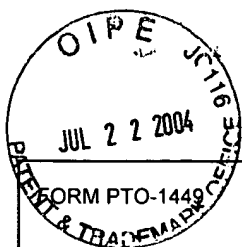
disclosed information.

- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicants hereby petition that the Information Disclosure Statement be considered. Attached is our check in the amount of \$180.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

Respectfully submitted,


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FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

019075-00062

SERIAL NO.

10/678,135

LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT

MIETTINEN, et al.

FILING DATE

October 6, 2003

GROUP

1614

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	6,383,514 B1	05/2002	Weitkemper et al.			
	AB						

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AM	MENSINK, et al., "Effect of Dietary Trans Fatty Acids on High Density and Low Density Lipoprotein Cholesterol Levels in Healthy Subjects," The New England Journal of Medicine, Vol. 323, No. 7, pages 439-445, August 1990.
	AN	PRANGE, et al., Poster at the XIIth International Symposium on Atherosclerosis, Stockholm, June 2000
	AO	GYLLING, et al., "Cholesterol Reduction by Different Plant Stanol Mixtures and With Variable Fat Intake," Metabolism, Vol. 48, No. 5, pages 575-580, 1999.
	AP	KRIS-ETHERTON, et al., "Individual Fatty Acids and Esterification Effects on Blood Lipids," Dairy Foods and Cardiovascular Health, Bulletin of the IDF 353, pages 26-30, 2001.
	AQ	MENSINK, et al., "Effect of Dietary Fatty Acids on Serum Lipids and Lipoproteins," Arteriosclerosis and Thrombosis, Vol. 12, No. 8, pages 911-915, August 1992.
	AR	KEYS, et al., "Serum Cholesterol Response to Changes in the Diet. IV. Particular Saturated Fatty Acids in the Diet," Metabolism, Vol. 14, No. 7, 1965.
	AS	AVART, S.J., "Substrate Specificity of Neutral Cholesterol Ester Hydrolase and Pancreatic Cholesterol Esterase," PhD Thesis of Drexel University, June 1985.
	AT	KUKSIS, et al., "Preparation and Certain Physical Properties of Some Plant Steryl Esters," Plant Steryl Esters, Vol. 25, pages 1209-1219, July 1960.
	AU	BHATTACHARYYA, A.K., "Uptake and esterification of plant sterols by rat small intestine," American Journal of Physiology, Vol. 240 (Gastrointestinal Liver Physiology Vol. 3), pages G50-G55, 1981.
	AV	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.